



IAP7 Rec'd PCT/PTO 29 DEC 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: NOISTERNIG ET AL-1 PCT CONFIRMATION NO. 2595

SERIAL NO.: 10/520,214

INT'L.APPLN.NO.: PCT/EP03/006303 INT'L.FILING DATE: JUNE 14, 2003

FOR: INHERENTLY RIGID INSTRUMENT CARRIER ASSEMBLY

**SECOND RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. §371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

During a recent telephone call to the US PTO asking for the missing official filing receipt, applicants' agent was informed that no response to the Notification of Missing Requirements dated June 29, 2005 has been received by the Office.

However, the records of the undersigned indicate that a response was filed on August 5, 2005, together with a check for \$ 130.00 (received by the Office on August 8, 2005, as attested thereto by the enclosed copy of the stamped postcard receipt).

Applicants are enclosing copies of the following:

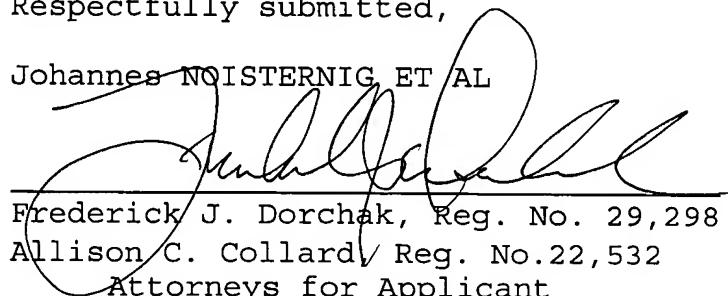
- 1) copy of original Response dated August 5, 2005;
- 2) copy of original Notification dated June 29, 2005;
- 3) copy of executed declaration;
- 4) copy of stamped postcard receipt
- 5) copy of check for \$ 130.00 dated August 5, 2005 (No. 1292);
- 6) copy from Fidelity investments, indicating that check 1292 was cashed by the US PTO.



It is respectfully requested that applicants' compliance with the Notification of Missing Requirements and receipt of the late declaration fee of \$ 130.00 be acknowledged. It is also respectfully requested that applicants be accorded a filing date of August 8, 2005, the date on which the requirements were satisfied.

Respectfully submitted,

~~Johannes NOISTERNIG ET AL~~


Frederick J. Dorchak, Reg. No. 29,298
Allison C. Collard, Reg. No. 22,532
Attorneys for Applicant

Collard & Roe, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

FJD:im

Encls.: see above

Express Mail No. : EV 786 961 143 US
Date of Deposit : December 29, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above, and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Kelly Espitia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: NOISTERNIG ET AL-1 PCT CONFIRMATION NO. 2595
 SERIAL NO.: 10/520,214

INT'L.APPLN.NO.: PCT/EP03/006303 INT'L.FILING DATE: JUNE 14, 2003

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
 UNDER 35 U.S.C. §371 IN THE UNITED STATES
 DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the enclosed "Notification of Missing Requirements" dated June 29, 2005, submitted herewith is the duly executed DECLARATION and POWER OF ATTORNEY, along with a check in the amount of \$130 for the late filing of the Declaration.

Any fee deficiencies may be charged to Deposit Account No. 03-2468.

Respectfully submitted,

Johannes NOISTERNIG ET AL

Frederick J. Dorchak, Reg. No. 29,298
 Allison C. Collard, Reg. No. 22,532
 Attorneys for Applicant

Collard & Roe, P.C.
 1077 Northern Boulevard
 Roslyn, New York 11576
 (516) 365-9802
 FJD:ke

Enclosures: Notification of Missing Requirements
 Executed Declaration/Power of Attorney
 Check for \$130.00

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail and is addressed to Mail Stop PCT, Commissioner for Patents, US PTO, P.O. Box 1450, Alexandria, VA 22313/1450 on August 5, 2005.

signed by: Maria Guastella
 Maria Guastella

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,214	Johannes Noisternig	NOISTERNIG ET AL.-1 (PCT)

25889
 WILLIAM COLLARD
 COLLARD & ROE, P.C.
 1077 NORTHERN BOULEVARD
 ROSLYN, NY 11576



INTERNATIONAL APPLICATION NO.	
PCT/EP03/06303	
IA. FILING DATE	PRIORITY DATE
06/14/2003	07/05/2002

CONFIRMATION NO. 2595
 371 FORMALITIES LETTER



OC000000016393807

Date Mailed: 06/29/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/04/2005
- English Translation of the IA filed on 01/04/2005
- Copy of the International Search Report filed on 01/04/2005
- Preliminary Amendments filed on 01/04/2005
- Information Disclosure Statements filed on 01/04/2005
- Request for Immediate Examination filed on 01/04/2005
- U.S. Basic National Fees filed on 01/04/2005
- Priority Documents filed on 01/04/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

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ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,214	PCT/EP03/06303	NOISTERNIG ET AL.-1 (PCT)

FORM PCT/DO/EO/905 (371 Formalities Notice)

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RECEIVED IN MAILROOM OF THE U.S. PATENT OFFICE

APPLICANT: NOISTERNIG ET AL.-1 (PCT)
CONF. NO.: 2595
PCT NO.: PCT/EP2003/006303
FILED: JUNE 14, 2003
SERIAL NO: 10/520,214
TITLE: INHERENTLY RIGID INSTRUMENT
CARRIER ASSEMBLY

JCCG Rec'd PCT/PTO 08 AUG 2005

Papers Sent:
Executed Declaration / Power of Attorney
Notification of Missing Requirements
Check for \$130.00

Dated: August 5, 2005
FJD:ke

BEST AVAILABLE COPY

139892

O I P E
DEC 29 2005
U.S. GOVERNMENT OFFICE

TRANSACTION DATE		DOLLARS	
DATE	TIME	CHECK NO.	CHECK AMOUNT
12/29/05	10:00 AM	1291	\$ 129.00
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1 Schindel M-1			
Signature			
191877107751731420 00000130000			

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PAV AMOUNT One Hundred Thirty dollars and 200 cents.			
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Signature			
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FIDELITY REST AVAILABLE | COP

Investment Report

FIDELITY PREFERRED SERVICES™

August 1, 2005 - August 31, 2005

Fidelity Account # 75-173142 COLLARD & ROE PC
Transaction Details

Check #	Date	Amount	Check #	Date	Amount	Check #	Date	Amount	Check #	Date	Amount
Code		Code	Code		Code	Code		Code	Code		Code
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1293	8/15	-790.00	1325	8/26	-500.00	1370*	8/29	-450.00			
1294	8/15	-65.00	1326	8/22	-1,040.00	Total		-\$83,692.00			

* Check number has been skipped.